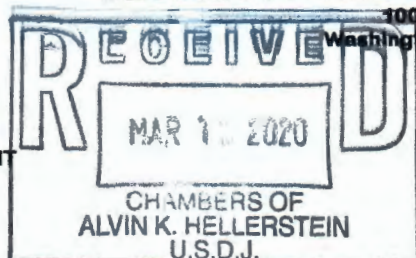


DIVISION OF
ENFORCEMENTUNITED STATES
SECURITIES AND EXCHANGE COMMISSION100 F Street, N.E.
Washington, DC 20549-5971USDC SDNY
DOCUMENT
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David Mendel
Assistant Chief Litigation Counsel
Telephone: (202) 551-4418
Facsimile: (301) 623-1192
Email: MendelD@sec.gov

March 13, 2020

Via Facsimile (212) 805-0152Honorable Alvin K. Hellerstein
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

*The Parties
may file as
practical
3-13-2020
Alvin Hellerstein*

Re: *SEC v. Kik Interactive Inc.*, Case No. 1:19-cv-5244 (AKH) (S.D.N.Y.)

Dear Judge Hellerstein:

We represent the United States Securities and Exchange Commission ("SEC") in the above-captioned matter. The SEC respectfully seeks a continuance of the obligation to comply with your Individual Rule of Practice 2.F, requiring the delivery of courtesy copies of filings to Chambers, in light of recent difficulties with the Coronavirus. We are not at this time requesting any modification to the briefing schedule ordered by this Court. Counsel for the defendant, Kik Interactive Inc. ("Kik"), has indicated that Kik does not object to the requested relief.

Because of the Coronavirus, the Washington, D.C. office of the SEC's Division of Enforcement has implemented, on an emergency basis, a temporary policy of either requiring or strongly encouraging telework for its personnel, depending on their individual circumstances and each employee's physical proximity to the workstations of two suspected COVID-19 cases. We expect this policy to continue at least for the next few weeks. Because of this situation, at present, it is likely impossible for the SEC to comply with Individual Rule of Practice 2F, requiring prompt delivery of a courtesy copy of all pleadings, motions, and supporting papers, in the above-captioned matter. The telework policy means that the SEC does not have personnel on site who can perform the necessary printing and binding of hard copies of court filings, or who can transfer to media (such as CDs) electronic copies of those filings. The SEC also plans to submit to Chambers CDs containing video recordings of several of Kik's public statements regarding the offering, and our ability to do so is also impacted by these same issues. We have also been told to expect that the SEC's New York Regional Office may soon be implementing a similar telework policy, and so that office will be unable to assist us in delivering courtesy copies and/or CDs to the courthouse.

We believe this situation will affect our delivery of courtesy copies of the upcoming filings in this matter that include the following: Motions for summary judgment (due March 20,

March 13, 2020

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2020); Oppositions to motions for summary judgment (due April 24, 2020); and Replies in support of summary judgment (due May 8, 2020). *See* Scheduling Order, ECF 48. We expect that we may not be able to comply with Rule 2F for each of these filings. Again, the SEC does plan to timely file these materials by ECF by these deadlines through remote telework, barring additional hardships caused by the Coronavirus. Consequently, each of the SEC's filings will be available, via the Court's ECF system, to Chambers and counsel for Kik. The SEC expects to file by ECF written transcripts of the video recordings the SEC plans to submit in connection with its motion, so those transcripts will also be available to Chambers and counsel.

In light of these circumstances, we ask the Court for permission to postpone compliance with Rule 2F, including the delivery of CDs containing the video files, until the earlier of (1) discontinuation of the SEC's emergency telework policy and resumption of its normal printing and information-technology capabilities, or (2) five days after the Reply deadline, *i.e.*, May 13, 2020.

Alternatively, if it would assist the Court, the SEC could deliver courtesy copies of its filings and the relevant video recordings through the SEC's secure file transfer protocol, Kiteworks. These deliveries could be made within a business day of a filing. For this procedure, we would need the name and email address of a person in Chambers who could receive the transfer.

We apologize for any inconvenience caused by these circumstances, and we thank you for your consideration of this request.

Sincerely yours,

/s/ David Mendel

David Mendel
Assistant Chief Litigation Counsel
Division of Enforcement

Cc: Counsel for Kik Interactive Inc. (by email)